



Section 3
PATENT

Applicant: ALLEN GERSHO; VLADIMIR CUPERMAN; TIAN WANG; KAZUHITO KOISHIDA
Serial No.: 09/401,068
Filed: SEPTEMBER 22, 1999
Title: LPC-HARMONIC VOCODER WITH SUPERFRAME STRUCTURE
Group:
Examiner:
Docket No. SIG5116.01A

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

12/15/99
John P. O'Banion, Reg. No. 38,201
12/15/99
Date of Signature

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

**SUBMISSION OF MISSING PARTS OF APPLICATION
UNDER 37 C.F.R. § 1.53**

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1533) mailed October 14, 1999, a copy of which is enclosed, please find the following documents which are incorporated by reference herein:

1. Combined Declaration and Power of Attorney;
2. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))
- Independent Inventor;
3. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(c))
- Small Business Concern;
4. Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 3.71;
5. Assignee Certification Under 37 C.F.R. 3.73(b);

6. Check in the amount of \$ 724 for the fees due as a small entity;
7. Assignment Cover Letter;
8. Assignment;
9. Check in the amount of \$40 (assignment recording fee).

The amount due for the filing fees and surcharge has been computed as follows:

CLAIMS AS FILED									
	Number filed			Number Extra			Rate		Basic Fee \$ 760.00
Total									
Claims 37 CFR 1.16(c)	25	- 20	=	5	X		\$18.00	=	80.00
Independent									
Claims (37 CFR 1.16(b))	9	- 3	=	6	X		\$78.00	=	468.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))						+	\$260.00	=	

Filing Fee Calculation	\$ 1,318.00
Surcharge	\$ 130.00
TOTAL FILING FEE	\$ 1,448.00

Small Entity Statement(s)

___ Verified Statements(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is enclosed.

Filing Fee Calculation (50% of above) **\$ 724.00**

Amount already paid **LESS (\$)**

TOTAL FILING FEES DUE **\$ 724.00**

X Assignment recording fee **\$ 40.00**

___ Petition fee **\$ 0**

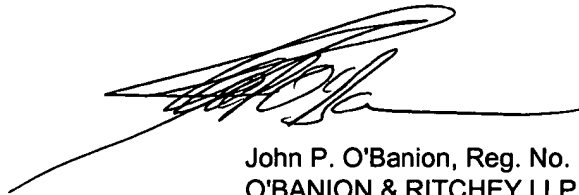
TOTAL FEES DUE **\$ 764.00**

Please charge any additional fees due to deposit account no. 07-1137.

Having now complied with all of the requirements of 37 C.F.R. 1.53, the Applicants respectfully request that this application be placed upon the files for examination.

Dated: 12/3/99.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'John P. O'Banion', with a long horizontal flourish extending to the right.

John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010



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COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, SUPPLEMENTAL, NATIONAL STAGE OF PCT, DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- ☒ original (regular)
- ☐ design
- ☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part, do not check the next item; check appropriate one of last three items.

- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all of the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention described in

SPECIFICATION IDENTIFICATION

- ☐ the specification filed herewith by the above-named inventors, with the title listed above.
- ☐ the specification filed herewith by the above-named inventors, with the title listed above, and which was amended by the Preliminary Amendment filed herewith.
- ☐ the specification identified above, as amended by the Preliminary Amendment filed herewith.
- ☒ the specification identified above, and which was amended on N/A .
- ☐ PCT International Application No. filed on , and amended under PCT Article 19 on (if applicable).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or under 35 U.S.C. § 365(b) of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- X no such applications have been filed.
- such application have been filed as follows.

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	FILING DATE (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119	
			<u> </u> YES	<u> </u> NO
			<u> </u> YES	<u> </u> NO
			<u> </u> YES	<u> </u> NO
			<u> </u> YES	<u> </u> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications (s) listed below:

PROVISIONAL APPLICATION SERIAL NUMBER FILING DATE OF PROVISIONAL APPLICATION

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS
UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional, continuation, CIP or national stage of PCT)

I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability under 37 C.F.R. § 1.56, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

1. U.S. Applications:

SERIAL NUMBER

FILING DATE

2. PCT Applications Designating The U.S.

PCT APPLICATION NUMBER

PCT FILING DATE

U.S. SERIAL NUMBER

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

John P. O'Banion

Registration No. 33,201

— Attached as part of this declaration and power of attorney is the authorization of the above-named attorney to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

John P. O'Banion
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814

DIRECT TELEPHONE CALLS TO:


John P. O'Banion
(916) 498-1010

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of first inventor: ALLEN GERSHO

Inventor's Signature: 

Date: 12/9/99 Country of Citizenship: UNITED STATES

Residence: GOLETA, CALIFORNIA

P.O. Address: 815 VOLANTE PLACE, GOLETA, CA 93117

Full name of second inventor: VLADIMIR CUPERMAN

Inventor's Signature: 

Date: 12/9/99 Country of Citizenship: CANADA

Residence: GOLETA, CALIFORNIA

P.O. Address: 5635 CIELO AVENUE, GOLETA, CA 93117

Full name of third inventor: TIAN WANG

Inventor's Signature: _____

Date: 12/9/99 Country of Citizenship: CHINA

Residence: GOLETA, CALIFORNIA

P.O. Address: 460 WHITMAN STREET #69, GOLETA, CA 93117

Full name of fourth inventor: KAZUHITO KOISHIDA

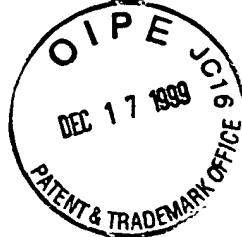
Inventor's Signature: _____

Date: 12/9/99 Country of Citizenship: JAPAN

Residence: GOLETA, CALIFORNIA

P.O. Address: 5739 ENCINA ROAD #203, GOLETA, CA 93117

X This Declaration ends with this page.



PATENT

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Serial No.: 09/401,068
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Group:
Examiner:
Docket No. SIG5116.01A

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b))-INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described in

☐ the specification filed herewith, with the title listed above.

☒ the application identified above.

☐ the patent identified above.

I have not assigned, granted, conveyed or licensed, and I am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or to any organization who would not qualify as a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization

☒ persons, concerns or organizations listed below¹

NAME: SIGNALCOM, INC.

ADDRESS: 7127 HOLLISTER AVENUE, SUITE 109

GOLETA, CA 93117

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

¹ Separate verified statements are required from each named person, concern or organization having rights to an invention averring to their status as small entities (37 CFR 1.27).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor: ALLEN GERSHO



Signature of Inventor

Date: Dec 9, 1999

Name of Inventor: VLADIMIR CUPERMAN



Signature of Inventor

Date: Dec 9, 1999

Name of Inventor: TIAN WANG



Signature of Inventor

Date: Dec. 9. 1999

Name of Inventor: KAZUHITO KOISHIDA



Signature of Inventor

Date: Dec 9, 1999



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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SIGNALCOM, INC.
ADDRESS OF CONCERN: 7127 HOLLISTER AVENUE, SUITE 109
GOLETA, CA 93117

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention described in

- ☐ the specification filed herewith, with the titled listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below¹ and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37

¹ Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or by any organization which would not qualify as a nonprofit organization under 37 CFR 1.9(e).

NAME: _____
ADDRESS: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28)

I hereby declare that all statements made herein of my own knowledge are and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: Dec 9, 1999

NAME OF PERSON SIGNING
TITLE (OTHER THAN OWNER)
ADDRESS

ALLEN GERSHO
CHIEF EXECUTIVE OFFICER
7127 HOLLISTER AVENUE, SUITE 109
GOLETA, CA 93117

SIGNATURE





PATENT

Applicant: ALLEN GERSHO; VLADIMIR CUPERMAN; TIAN WANG; KAZUHITO KOISHIDA
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Group:
Examiner:
Docket No. SIG5116.01A

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Dear Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints

John P. O'Banion, Reg. No. 33,201

as its attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on _____ at reel/frame _____.

☒ is submitted herewith for recording.

Please direct all telephone calls to John P. O'Banion at (916) 498-1010 and all correspondence relative to said application to the following address:

**John P. O'Banion, Esq.
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814**

Dated: Dec 9, 1999.

ASSIGNEE: SIGNALCOM, INC.

Signature: _____

Typed Name: ALLEN GERSHO
CHIEF EXECUTIVE OFFICER
7127 HOLLISTER AVENUE, SUITE 109
GOLETA, CA 93117



PATENT

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ASSIGNEE CERTIFICATION UNDER 37 C.F.R. 3.73(b)

In accordance with 37 C.F.R. 3.73(b), the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.

Dated: 12/9/99

ASSIGNEE: SIGNALCOM, INC.

Signature:

Allen Rusk

Typed Name: ALLEN GERSHO
CHIEF EXECUTIVE OFFICER
7127 HOLLISTER AVENUE, SUITE 109
GOLETA, CA 93117